

REMARKS

Applicant submits this Response in reply to the Office Action dated June 5, 2007. Claims 1 to 3, 11 to 13, 27 to 29, 35 to 37, 39 and 45 have been amended. No new matter was added by these amendments. Claims 22 to 26 and 47 to 53 have been cancelled without prejudice or disclaimer.

Applicant submits a Supplemental Information Disclosure Statement and a Petition for One Month Extension of Time with this Response. Please charge Deposit Account No. 02-1818 for the Supplemental Information Disclosure Statement, Petition for One Month Extension of Time and any other amounts due in association with this Response.

The Office Action rejected Claims 1 to 5, 9 to 20, 27 to 31, 34 to 36 and 39 to 43 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,428,412 to Anderson et al. ("Anderson"). Applicant respectfully disagrees with these rejections. Applicant has made clarifying amendments to certain of these claims to clarify the existing claim elements and place these claims in condition for allowance.

Anderson discloses a gaming machine including a base game and a bonus game. The player places a wager on the base game. In one embodiment, the base game is a slot-type game. The gaming machine randomly generates an outcome for the base game. If the outcome includes a "start-bonus outcome," a bonus game is triggered.

Regarding Claims 1 and 27, the Office Action asserted that Anderson discloses "multiple selections in the game, wherein at least one of the pick of the selection is based on the amount of wager in the game." (Office Action, pp. 3 to 4). The Office Action referenced a caption of Anderson, which states:

FIG. 2 is a block diagram of a control system suitable for operating the gaming machine 10. Coin/credit detector 14 signals a central processing unit ("CPU") 16 when a player has inserted a number of coins or played a number of credits. Then, the CPU 16 operates to execute a game program that causes the lower display 12 to display the basic game that includes simulated symbol-bearing reels. The player may select the number of pay lines to play and the amount to wager via touch screen input keys 17. The basic game commences in response to the player activating a switch 18

(e.g., by pulling a lever or pushing a button), causing the CPU 16 to set the reels in motion, randomly select a game outcome, and then stop the reels to display symbols corresponding to the pre-selected game outcome. (Anderson, column 2, line 55 to column 3, line 1) (emphasis added).

In one embodiment of Anderson, the occurrence of three or more Scrabble Board symbols along an active payline triggers a "Scrabble" bonus feature. Referring to Fig. 6, the gaming machine displays a plurality of letter bags. The machine prompts the player to select one of the letter bags. The gaming device then displays an animation of letters coming out of the selected letter bag and displays a word. The gaming device determines if the word is spelled correctly. If the word is spelled correctly, the word is placed on a Scrabble board display and factored into a bonus award in accordance with standard Scrabble scoring. If the word is spelled incorrectly, the bonus feature ends. As long as the words generated are spelled correctly, the player continues to select letter bags and receive bonus points according to the random placement of the correctly spelled words on the Scrabble board. Once a word is spelled incorrectly, the player receives an accumulated award and the bonus feature ends.

Amended Claim 1 includes at least one processor configured to operate with at least one display device and at least one input device to: display a base game operable upon a wager by a player; display an outcome for the base game; determine if a triggering event occurred in the outcome of the base game; if a triggering event occurred in the outcome of the base game, display at least two of a plurality of selections associated with a bonus game; enable the player to pick a designated number of the selections, wherein the designated number of picks of the selections is based, at least in part, on the amount of the wager placed on the base game, said designated number being at least one, and wherein different designated numbers of picks of the selections are based on different wager amounts; for each picked selection, determine a selection outcome from a plurality of selection outcomes associated with the selection, wherein for at least one of the selections, the selection outcome associated with the selection is based, at least in part, on the amount of said wager placed on the base game; display at least one award based on at least one selection outcome associated with one of the picked selections.

The Office Action appears to reason that the paylines wagered on in the base game of Anderson are selections, as described in Claim 1 as originally filed. Amended Claim 1 includes at least one processor configured to operate with at least one display device and at least one input device to display at least two of a plurality of selections associated with a bonus game and enable the player to pick a designated number of the selections, wherein the designated number of picks of the selections is based, at least in part, on the amount of the wager placed on the base game, said designated number being at least one, and wherein different designated numbers of picks of the selections are based on different wager amounts. The Anderson gaming machine does not enable a player to pick a designated number of selections associated with a bonus game, wherein the designated number of picks of the selections is based, at least in part, on the amount of the wager placed on the base game, said designated number being at least one, and wherein different designated numbers of picks of the selections are based on different wager amounts.

Although the "Scrabble" bonus feature embodiment of Anderson includes player selection, the number of selections a player picks has nothing to do with the wager placed on the base game. In Anderson, the player continues making selections until a word is misspelled.

Also, Claim 1 includes at least one processor configured to operate with at least one display device and at least one input device to for each picked selection, determine a selection outcome from a plurality of selection outcomes to associate with the selection, wherein for at least one of the selections, the selection outcome associated with the selection is based, at least in part, on the amount of said wager placed on the base game. Anderson does not disclose selections associated with a bonus game, wherein the selection outcome associated with at least one of the selections is based, at least in part, on the amount of the wager placed on the base game. In the "Scrabble" bonus feature embodiment of Anderson, the word resulting from the selection of a letter bag is not based on the wager placed on the base game.

For at least these reasons, Applicant respectfully submits that Claims 1 and 27 and the claims depending therefrom are patentably distinguished over Anderson and in condition for allowance.

Claims 12 and 39 are patentable over Anderson for the same reasons as Claims 1 and 27. Additionally, Claim 12 includes at least one processor configured to operate with at least one display device and at least one input device to for each picked selection, determine a selection outcome from a plurality of selection outcomes to associate with the selection, wherein at least one of the selection outcomes of the plurality of selection outcomes includes activating a symbol generator if at least a designated amount is wagered on the base game and to provide a jackpot award to the player if a plurality of jackpot award symbols are generated by the symbol generator. Anderson does not disclose such a jackpot award. For at least these reasons, Applicant respectfully submits that Claim 12 and 39 and the claims depending therefrom are patentable over Anderson and in condition for allowance.

The Office Action rejected Claims 6 to 8, 21, 32 to 33 and 44 under 35 U.S.C. § 103(a) as being unpatentable over Anderson in view of U.S. Patent No. 5,231,568 to Cohen et al. ("Cohen"). Applicant respectfully disagrees with these rejections. For at least the foregoing reasons, Applicant respectfully submits that Claims 6 to 8, 21, 32 to 33 and 44 are patentable over the combination of Anderson and Cohen and in condition for allowance.

Applicant has made an earnest endeavor to place this application in condition for allowance and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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